

BRESSET & SANTORA, LLC

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**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: :
NO 1. CONTRACTING CORPORATION : Case No. 5:10-bk-01755
Debtor :
: :
No. 100, INC. :
Movant :
v.
NO. 1 CONTRACTING CORPORATION :
Respondent :

ANSWER OF THE DEBTOR TO RELIEF FROM AUTOMATIC STAY

AND NOW, comes the Respondent/Debtor, NO 1. CONTRACTING CORPORATION, by and through the undersigned council, and hereby answers the Motion as follows:

- 1-5. Admitted.
6. Admitted in part and denied in part. Said Exhibit "A" is admitted in as much as said Exhibit speaks for itself. The remaining allegations of paragraph six(6) are denied and therefore strict proof is demanded at time of trial.
7. Admitted in part and denied in part. It is admitted that said Exhibit "B" speaks for itself and the remaining allegations of paragraph seven (7) are denied and therefore strict proof is demanded at time of trial.
8. Denied as stated. Admitted in part and denied in part. It is admitted that the exact

amount of the outstanding Real Estate Tax is unknown to the Debtor at this time.

9. Denied. The allegation contained in paragraph nine (9) are denied and strict proof thereof is demanded at time of trial. By way of further Answer hereto, Debtor believes and therefor avers that not all credits due to Debtor are reflected in the alleged accounting by the Movant. The Debtor believes and therefore avers that it has offsets against any amounts due to Movant by virtue of Movant's failure to provide a the Debtor with profits from a joint venture agreement previous entered into by the Movant and Debtor prior to the initiation of these bankruptcy proceedings.

10. Admitted in part and denied in part. It is admitted that prior to the Movant that had not "pressed collection vigorously". As further answer hereto, the Movant made virtually no colection efforts until prior to the filing this Chapter 11 proceeding.

11. Denied as stated. It is denied that the Debtor has defaulted on Mortgage payments in as much as the Movant never once requested the same. By way of further answer hereto, it is further denied that the Movant's position, what ever extent it is determined to be, is not adequately protected. Furthermore, the Debtor is in the process of finalizing its plan of reorganization, which will provide for a partial liquidation of assets consistent with pre-petition discussions with Movant.

12. Denied for the reasons set forth here and above. In addition hereto the Debtor has plans, to be incorporated into a plan of reorganization, which will increase its income from an operationed stand point.

13. Admitted.

14-15. The allegations contained in paragraphs fourteen(14) and fifteen (15) constitute conclusions of law which are deemed denied without the necessity of responsive pleading and to

the extent the same contain factual allegations, the same are denied for the reasons set forth here and above.

WHEREFORE, having fully answered, the Debtor prays that the Motion be denied, or the alternative postponed until the time when the Debtor seeks confirmation of the Plan of Reorganization, or such other relief as just and equitable

Respectfully Submitted,

/s/ Ronald V. Santora, Esquire

Ronald V. Santora, Esquire